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INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE
Eleventh session
New York, 6-17 February 1995

REPORT OF THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE ON THE WORK OF ITS ELEVENTH SESSION HELD AT NEW YORK FROM 6 TO 17 FEBRUARY 1995

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Annex

List of documents before the Committee at its eleventh session

PART TWO: RECOMMENDATIONS TO THE CONFERENCE OF THE PARTIES AND OTHER DECISIONS AND CONCLUSIONS OF THE COMMITTEE*/

I. Recommendations to the Conference of the Parties

II. Other decisions and conclusions of the Committee

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*/ Part Two of the report will be issued in an addendum to this document. In addition to the recommendations and decisions adopted by the Committee at its eleventh session, Part Two contains one recommendation and other conclusions adopted at the tenth session of the Committee.

I. OPENING OF THE SESSION

1. The eleventh session of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change was held at New York from 6 to 17 February 1995. The session was convened in accordance with the decisions in paragraphs 6 and 7 of General Assembly resolution 47/195 and the schedule recommended by the Committee at its eighth session (see A/AC.237/41, para. 119) and confirmed by the tenth session (A/AC.237/76, para. 21).

2. The Chairman of the Committee, Ambassador Raúl Estrada-Oyuela, opened the session at the 1st plenary meeting, on 6 February 1995. In welcoming the participants, he said that it was a matter of great satisfaction that the Convention had been ratified by as many as 118 States and one regional economic integration organization and that the financial mechanism established under Article 11 had been put into operation under the Global Environment Facility (GEF). One of the important tasks before the Committee at the present session was to agree on a recommendation to the first session of the Conference of the Parties (COP 1) on whether or not the interim arrangements with the GEF should be continued. Another major task was to formulate a recommendation to COP 1 on the adequacy of commitments under the Convention and, in that connection, he pointed to the usefulness of the compilation and synthesis of the first 15 national communications from Annex I Parties, which in his view was the most important document before the Committee at the present session. He appealed to all the members of the Committee to join their efforts in the tasks before them, with a view to fulfilling the mandate given to them by the General Assembly.

3. The Executive Secretary welcomed all participants to the session. He introduced the documentation prepared by the interim secretariat for the session and reviewed the provisional agenda. In his view, there were three main groups of items: those on which the Committee might aim to make progress but which would require continuing consideration by the COP, such as items 7(a), 7(d), 8(a) and 9; those on which final conclusions were not yet apparent and on which negotiations should be advanced, such as items 7(b) and 7(c); and, finally, those, mainly institutional and legal items, on which the Committee could and should make final recommendations, such as items 2, 5, 6, 7(e) and 8(b).

4. The Chairman of the Intergovernmental Panel on Climate Change (IPCC), Professor Bert Bolin, emphasized the importance of the present session in setting the stage for decisions to be taken at COP 1. The IPCC was keen to contribute to those efforts and hoped that its reports would be of help to the Committee in that process. He reported on recent findings dealt with in the 1994 Special Report, which did not substantially change the essential results contained in the 1990 and 1992 IPCC scientific assessments. There was an increasing polarization of the public debate on the issue of climate change, but that was not the case within the scientific community. The

uncertainties adduced by some as an argument for doing nothing could not be taken to imply a reduction of risk. The inertia of the climate system, as well as the necessarily gradual initiation of mitigation efforts, implied that long lead times were needed for achieving the goals agreed upon by the international community. Finally, it was important that consideration should be given to the future role of the IPCC for the work of the Convention. The IPCC would respond to the requests and decisions of the COP in planning specific activities. There was also a need to consider arrangements for the future funding of the IPCC in the context of the ongoing international efforts on climate change.

5. The Chief Executive Officer and Chairman of the Global Environment Facility (GEF), Mr. Mohamed T. El-Ashry, reporting on the activities of the GEF since the previous session of the Committee, stated that considerable progress had been made towards the effective implementation of the Convention. The GEF and the UNFCCC interim secretariat had reached agreement on the manner in which the GEF would make arrangements for funding enabling activities and preparations for the national communications related to the Convention. The Committee, at its present session, was expected to provide recommendations to the COP regarding the financial mechanism referred to in Article 11. He wished to reiterate that the GEF, in its replenished and restructured form, fully responded to the requirements of Articles 21.3 and 11, and was ready to serve as the financial mechanism for the Convention on a permanent basis, if the COP so decided. Indeed, a significant part of the $2 billion pledged to the new GEF was intended to finance activities under the Convention. In conclusion, he stated that the excellent working relationship between the UNFCCC and GEF secretariats had made it possible to collaborate effectively in addressing the issues before them and to make progress in achieving the goals of the Convention.

II. ORGANIZATIONAL MATTERS

A. Officers

6. The Officers of the Committee and of its two Working Groups were as follows:

Chairman:	Mr. Raúl Estrada-Oyuela (Argentina)
Vice-Chairmen:	Ms. Rungano P. Karimanzira (Zimbabwe) Mr. Maciej Sadowski (Poland) Mr. T.P. Sreenivasan (India) Ms. Penelope Wensley (Australia)
Rapporteur:	Mr. Maciej Sadowski (Poland)

Working Group I

Co-Chairmen:	Mr. Mohamed M. Ould El Ghaouth (Mauritania) Ms. Cornelia Quennet-Thielen (Germany)
Vice-Chairman:	Mr. Tibor Faragó (Hungary)

Working Group II

Co-Chairmen:	Mr. Nobutoshi Akao (Japan) Mr. James T. Stovall III (Federated States of Micronesia)
Vice-Chairman:	Mr. John W. Ashe (Antigua and Barbuda)

B. Adoption of the agenda

7. At its 1st plenary meeting, on 6 February 1995, the Committee adopted the following agenda:

1. Organizational matters:

   (a) Adoption of the agenda;

(b) Organization of work.

2. Arrangements for the first session of the Conference of the Parties, including the provisional agenda.

3. Status of ratification of the Convention.

4. Review of the Annexes to the Convention.

5. Designation of a permanent secretariat and arrangements for its functioning:

(a) Institutional linkages;

(b) Financial rules of the Conference of the Parties and of its subsidiary bodies;

(c) Physical location.

6. Rules of procedure of the Conference of the Parties and of its subsidiary bodies.

7. Matters relating to commitments:

(a) First review of information communicated by each Party included in Annex I to the Convention, including:

(i) Review of a compilation and synthesis, including the overall effects of policies and measures;
(ii) Process for the ongoing review of first communications from Annex I Parties;

(b) Review of the adequacy of commitments in Article 4, paras. 2 (a) and (b);

(c) Criteria for joint implementation;

(d) Methodological issues;

(e) The roles of the subsidiary bodies established by the Convention.

8. Matters relating to arrangements for the financial mechanism:

(a) Implementation of Article 11 (Financial mechanism), paras. 1-4, including:

(i) Guidance on programme priorities, eligibility criteria and policies, and on the determination of "agreed full incremental costs";

(ii) Modalities for the functioning of operational linkages between the Conference of the Parties and the operating entity or entities of the financial mechanism;

(b) Consideration of the maintenance of the interim arrangements referred to in Article 21, para. 3.

9. Provision to developing country Parties of technical and financial support.

10. Review of the activities of the interim secretariat, including review of extrabudgetary funds.

11. Adoption of the report of the Committee, including recommendations to the Conference of the Parties.

C. Organization of work

8. At its 1st plenary meeting, on 6 February 1995, the Committee considered the proposals for the organization of work contained in document A/AC.237/77 and the tentative schedule of meetings contained in annex II to that document. The representative of the Philippines, on behalf of the Group of 77 and China, requested that the informal consultations on item 6 scheduled for Wednesday, 8 February, should be held at a later date, preferably Friday, 10 February. He also requested that, if possible, afternoon meetings should end earlier than the scheduled time in deference to the observance of Ramadan by many delegations participating in those meetings.

9. The representative of Trinidad and Tobago, speaking on behalf of the Alliance of Small Island States, requested the Chairman to make provision for a formal presentation in plenary of the draft Protocol to the United Nations Framework Convention on Climate Change on Greenhouse Gas Emissions Reduction (A/AC.237/L.23). The representative of Germany indicated that he too would wish at the same time to make a formal presentation of his Government's proposals for further elements of such a protocol (A/AC.237/L.23/Add.1).

10. The Chairman indicated that arrangements would be made for informal consultations on item 6 to start on Friday, 10 February, and that a plenary meeting could be held on the morning of

Wednesday, 8 February, to take up some of the items originally scheduled for Friday, 10 February. The representatives of Trinidad and Tobago and of Germany would be given an opportunity at that meeting to make formal presentations of the draft Protocol and of the further elements relating thereto. The plenary would not at that time enter into a debate on those documents, which were relevant to the review of the adequacy of commitments in Article 4.2(a) and (b), an item to be considered in Working Group I.

11. With regard to the request for afternoon meetings to end earlier than the scheduled time, the Chairman recalled that, at the tenth session, it had been decided that the reduction of working hours had budgetary implications beyond the competence of the Committee and that the matter should be dealt with by the General Assembly. In the light of General Assembly resolution 49/221, he ruled that it was not a matter on which the Committee could take a decision and that, therefore, the normal working hours would be adhered to.

12. At the same meeting, the Committee approved the organization of work as proposed in document A/AC.237/77 and the tentative schedule of meetings, subject to revision by the Chairman in consultation with the Bureau and to adjustments by the Working Groups in the light of the progress of their work.

13. At the 2nd plenary meeting, on 8 February, the Committee approved a revised schedule of meetings submitted by the Chairman.

14 At the 4th plenary meeting, on 13 February, the Co-Chairmen of Working Groups I and II reported on the progress of consideration of agenda items under their respective responsibilities.

D. Attendance

15. The eleventh session was attended by representatives of the following 148 States:

Albania	Belize	Cameroon
Algeria	Benin	Canada
Antigua and Barbuda	Bhutan	Central African Republic
Argentina	Bolivia	Chad
Armenia	Botswana	Chile
Australia	Brazil	China
Austria	Bulgaria	Colombia
Bangladesh	Burkina Faso	Comoros
Barbados	Burundi	Cook Islands
Belgium	Cambodia	Costa Rica

Côte d'Ivoire
Cuba
Czech Republic
Democratic People's Republic of Korea
Denmark
Ecuador
Egypt
Estonia
Ethiopia
Fiji
Finland
France
Gabon
Gambia
Georgia
Germany
Greece
Grenada
Guinea
Guinea-Bissau
Haiti
Holy See
Hungary
Iceland
India
Indonesia
Iran (Islamic Republic of)
Iraq
Ireland
Italy
Jamaica
Japan
Jordan
Kenya
Kiribati
Kuwait
Lao People's Democratic Republic
Latvia
Lebanon
Lesotho
Liberia
Libyan Arab Jamahiriya
Lithuania
Madagascar
Malawi
Malaysia
Maldives
Mali
Malta
Marshall Islands
Mauritania
Mauritius
Mexico
Micronesia (Federated States of)
Mongolia
Morocco
Mozambique
Myanmar
Nauru
Nepal
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
Norway
Pakistan
Panama
Papua New Guinea
Paraguay
Peru
Philippines
Poland
Portugal
Republic of Korea
Romania
Russian Federation
Rwanda
Saint Kitts and Nevis
Saint Lucia
Samoa
Sao Tome and Principe
Saudi Arabia
Senegal
Seychelles
Sierra Leone
Slovakia
Solomon Islands
South Africa
Spain
Sri Lanka
Sudan
Suriname
Swaziland
Sweden
Switzerland
Thailand
Togo
Tonga
Trinidad and Tobago
Tunisia
Turkey
Tuvalu
Uganda
Ukraine
United Arab Emirates
United Kingdom of Great Britain and Northern Ireland
United Republic of Tanzania

United States of America	Vanuatu	Zaire
Uruguay	Venezuela	Zambia
Uzbekistan	Viet Nam	Zimbabwe
	Yemen	

16. The following United Nations offices and programmes were represented: United Nations Department for Policy Coordination and Sustainable Development (DPCSD); United Nations Development Programme (UNDP); United Nations Environment Programme (UNEP); United Nations Institute for Training and Research (UNITAR).

17. The following specialized agencies and other organizations of the United Nations system were represented: Food and Agriculture Organization of the United Nations (FAO); International Civil Aviation Organization (ICAO); World Bank; United Nations Industrial Development Organization (UNIDO); World Meteorological Organization (WMO); International Atomic Energy Agency (IAEA); Intergovernmental Oceanographic Commission (UNESCO/IOC); Global Environment Facility of the World Bank/UNDP/UNEP (GEF); WMO/UNEP Intergovernmental Panel on Climate Change (IPCC).

18. The following intergovernmental organizations were represented: Agency for Cultural and Technical Cooperation (ACCT); International Energy Agency (IEA); Asian-African Legal Consultative Committee (AALCC); Asian Development Bank (ABD); European Community; Greenhouse Gas Technology Information Exchange; Organisation for Economic Cooperation and Development (OECD); Organization of the Petroleum Exporting Countries (OPEC); South Pacific Regional Environment Programme (SPREP).

19. The following non-governmental organizations in consultative status with the Economic and Social Council were represented:

Category I: International Chamber of Commerce.

Category II: Environmental Defense Fund; Greenpeace International; International Petroleum Industry Environmental Conservation Association; International Union of Producers and Distributors of Electrical Energy; World Coal Institute; World Council of Churches; World Resources Institute.

Roster: European Chemical Industry Council; International Organization of Motor Vehicle Manufacturers; Natural Resources Defense Council.

20. The following other non-governmental organizations were also represented: African Centre for Technology Studies; Alliance for Responsible Atmospheric Policy; Alliance for Responsible Environmental Alternatives; Appropriate Technology International; Association for Progressive Communications; Bangladesh Centre for Advanced Studies; British Fire Protection Systems Association Ltd.; Business Council for a Sustainable Energy Future; Canadian Electrical Association; Center for Clean Air Policy; Center for Global Change; Centre for International Environmental Law; Centre for Science and Environment; CGS Centre for Business and the Environment - Hoskyns Group; Climate Action Network; Climate Action Network Latin America; Climate Action Network South-East Asia ; Climate Institute; Coal Association of Canada; Columbia University; Conservation Law Foundation; Cornell University; Costa Rican Office for Sustainable Development; Earth Council; Edison Electric Institute; Environmental and Energy Study Institute; Face Foundation; Fire Suppression Systems Association; Foundation for International Environmental Law and Development; Global Climate Coalition; Global Coral Reef Alliance; Global Education Associates; Global Industrial and Social Progress Research Institute; Institut de Recherche sur l'environnement; Institute for Environmental Studies - Free University Amsterdam; Institute for Resource and Security Studies; International Climate Change Partnership; International Council for Local Environmental Initiatives; International Institute for Applied Systems Analysis; International Institute for Sustainable Development; International Insurance Initiative on Climate Change/Property Catastrophe Reinsurance and Excess Liability Insurance Association; International Synergy Institute; Massachusetts Institute of Technology; National Association of Regulatory Utility Commissioners; National Coal Association; National Rural Electric Cooperative Association; New York Mercantile Exchange; QPRIG - University of Montreal; Rainforest Regeneration Institute; Stockholm Environment Institute; Student Environmental Action Coalition; Tata Energy Research Institute; The Climate Council; The Nature Conservancy; Union of Concerned Scientists; United Mine Workers of America; University of Arizona; Verification Technology Information Centre; Woods Hole Research Center; World Business Council for Sustainable Development; World Wide Fund for Nature; Wuppertal Institute for Climate, Environment and Energy.

E. Documentation

21. The documents before the Committee at its eleventh session are listed in the annex to Part One of this report.

III. GENERAL STATEMENTS

22. At the 1st plenary meeting, on 6 February, a general statement was made by the representative of the Philippines, on behalf of the Group of 77 and China.

23. At the 2nd plenary meeting, on 8 February, the representative of Trinidad and Tobago introduced, on behalf of the Alliance of Small Island States, a draft Protocol to the United Nations Framework Convention on Climate Change on Greenhouse Gas Emissions Reduction (A/AC.237/L.23). The representative of Germany introduced his Government's proposals for further elements of such a protocol (A/AC.237/L.23/Add.1).

24. At the 4th plenary meeting, on 13 February, a statement was made on behalf of environmental non-governmental organizations.

IV. STATUS OF RATIFICATION OF THE CONVENTION

25. At its 1st plenary meeting, on 6 February, the Committee was informed that 119 instruments of ratification, acceptance, approval or accession had been transmitted to the Depositary.

26. The representative of the interim secretariat noted that, in accordance with Article 23.2, the Convention enters into force for each Party ninety days after the date of deposit with the Depositary of the instrument of ratification, acceptance, approval or accession. Consequently, the Parties as at the opening of COP 1 on 28 March 1995 would be the 115 States and the regional economic integration organization that had deposited such instruments by 28 December 1994. In addition, two States had deposited instruments in the period between 29 December 1994 and 7 January 1995 and would become Parties during COP 1, bringing the total number to 118 Parties. The States depositing instruments after the latter date would not become Parties until after the closure of COP 1.

27. The representatives of Kuwait, Mali, the Russian Federation, the Solomon Islands, Saudi Arabia and Thailand informed the Committee that their countries had deposited instruments of ratification or accession by 28 December 1994 and would thus be Parties to the Convention at COP 1.

28. The representatives of Colombia, Kiribati and the United Republic of Tanzania made statements on the status of ratification of the Convention in their countries.

29. The representative of Turkey stated that, while his country fully recognized the importance of the Convention, it had not signed the Convention because Turkey, although it had been included among the developed countries listed in Annexes I and II, was in fact a developing country and should not be obliged to undertake commitments which were inconsistent with its level of development. His country was ready, however, to comply with the general provisions of the Convention and was taking the necessary steps to do so. As soon as the conditions and level of development warranted it, Turkey would become an Annex I Party to the Convention and would assume the consequent obligations.

30. During the course of the session, the Committee was informed that instruments of ratification, acceptance, approval or accession had been received from Kiribati, Lesotho and Oman, thus bringing the total number of such instruments received to 122.

V. MATTERS RELATING TO COMMITMENTS

31. At its 1st meeting, on 6 February, Working Group I, bearing in mind rule 46 of the rules of procedure of the Committee, maintained the decision taken at the second session (A/AC.237/9, para. 25) that its meetings would be open unless it decided otherwise. Working Group I held 11 open meetings from 6 to 16 February, as well as a number of informal meetings and consultations.

32. At the 1st and 2nd meetings of the Working Group, on 6 February, the Chairman of the IPCC responded to questions raised by representatives in the Working Group, in the light of his earlier presentation to the Committee.

A. First review of information communicated by each Party included in Annex I to the Convention

1. Proceedings

33. Working Group I discussed sub-item 7 (a) at its 2nd meeting on 6 February, and at its 3rd and 4th meetings on 7 February. It had before it the following documents, which were introduced by a representative of the interim secretariat:

(a) Compilation and synthesis of national communications from Annex I Parties (A/AC.237/81);

(b) First review of information communicated by each Party included in Annex I to the Convention. Issues to be addressed by the Committee: an overview (A/AC.237/82);

(c) First review of information communicated by each Party included in Annex I to the Convention: comments from Parties or other Member States (A/AC.237/Misc.42);

(d) Status of submissions of first communications from Annex I Parties: note by the interim secretariat (A/AC.237/INF.16/Rev.2); and

(e) Executive summaries of national communications (A/AC.237/NC/1 - 14).

34. Statements under this sub-item were made by representatives of 19 States, including one speaking on behalf of the Group of 77 and China and another on behalf of the European Community and its member States. A statement was also made by the observer for a non-governmental organization.

35. Having discussed texts presented by the Co-Chairmen (A/AC.237/WG.I/L.27), Working Group I, at its 11th meeting, on 16 February, proposed a draft conclusion of the Committee and draft recommendations to COP 1 on the sub-item, for adoption by the Committee.

2. Conclusions

36. On the recommendation of Working Group I, the Committee, at its 7th plenary meeting, on 17 February, agreed on the following conclusions regarding sub-item 7(a).

37. The Committee thanked the interim secretariat, and the experts and organizations that had assisted it, for preparing the compilation and synthesis of national communications contained in document A/AC.237/81. It was seen as a fundamentally important document which was useful for discussions at the eleventh session and at COP 1, including for discussion on the review of adequacy of the commitments in Article 4.2 (a) and (b). The preparation of the synthesis document was seen as a promising first step in the review process and a good basis for the in-depth reviews which will begin soon.

38. On the recommendation of Working Group I, the Committee, at the same meeting, also adopted, for submission to COP 1, recommendation 3 on the preparation and submission of national communications from Parties included in Annex I to the Convention, recommendation 4 on the review of first communications from the Parties included in Annex I to the Convention and recommendation 5 on first communications from Parties not included in Annex I to the Convention, the texts of which are contained in Part Two of this report. The representatives of three Annex I Parties with economies in transition reserved their positions on certain aspects of the draft decision contained in recommendation 3, pending its consideration at COP 1.

B. Review of the adequacy of commitments in Article 4, paragraph 2 (a) and (b)

1. Proceedings

39. Working Group I discussed sub-item 7 (b) at its 4th to 7th meetings from 7 to 9 February. It had before it the following documents:

(a) Review of the adequacy of commitments in Article 4, paragraph 2 (a) and (b): annotated compilation (A/AC.237/83); and

(b) Review of the adequacy of commitments in Article 4, paragraph 2 (a) and (b): comments from Parties or other member States (A/AC.237/Misc.43 and Add.1).

40. Statements under this sub-item were made by representatives of 36 States, including one speaking on behalf of the European Community and its member States and another speaking on behalf of the Group of 77 and China.

41. Having discussed a text presented by the Co-Chairmen (A/AC.237/WG.I/L.28), Working Group I, at its 11th meeting on 16 February, proposed a draft decision on the sub-item for adoption by the Committee.

2. Conclusions

42. On the recommendation of Working Group I, the Committee, at its 7th plenary meeting on 17 February, adopted decision 11/1 on review of the adequacy of Article 4, paragraph 2 (a) and (b), of the Convention, the text of which is contained in Part Two of this report. Statements were made by the representatives of 15 States, including one speaking on behalf of the European Community and its member States.

C. Criteria for joint implementation

1. Proceedings

43. Working Group I discussed sub-item 7(c) at its 7th, 8th and 9th meetings, on 9 and 10 February. It had before it a document containing comments from Parties or other member States on criteria for joint implementation (A/AC.237/Misc.44), which was introduced by a representative of the interim secretariat.

44. Statements under this sub-item were made by representatives of 22 States, including one speaking on behalf of the Group of 77 and China.

45. Having discussed a text prepared by the Co-Chairmen (A/AC.237/WG.I/L.29), Working Group I, at its 11th meeting, on 16 February, proposed a draft recommendation to COP 1 on the sub-item, for adoption by the Committee.

2. Conclusions

46. On the recommendation of Working Group I, the Committee, at its 7th plenary meeting on 17 February, adopted, for submission to COP 1, recommendation 6 on criteria for joint

implementation, the text of which is contained in Part Two of this report.

D. Methodological issues

1. Proceedings

47. Working Group I discussed sub-item 7(d) at its 2nd meeting, on 6 February. It had before it a note by the interim secretariat on methodological issues (A/AC.237/84).

48. Statements were made by the representatives of 10 States, including one speaking on behalf of the European Community and its member States. A statement was also made by the observer for the International Civil Aviation Organization (ICAO).

49. Having discussed a text presented by the Co-Chairmen (A/AC.237/WG.I/L.25), Working Group I, at its 11th meeting, on 16 February, proposed a draft recommendation to COP 1 on the sub-item for adoption by the Committee.

2. Conclusions

50. On the recommendation of Working Group 1, the Committee, at its 7th plenary meeting on 17 February, adopted, for submission to COP 1, recommendation 7 on methodological issues, the text of which is contained in Part Two of this report.

E. The roles of the subsidiary bodies established by the Convention

1. Proceedings

51. Working Group I discussed sub-item 7(e) at its 9th and 10th meetings, on 10 and 14 February. It had before it a note by the interim secretariat on the roles of the subsidiary bodies established by the Convention (A/AC.237/85).

52. Statements under this sub-item were made by representatives of 12 States, including one speaking on behalf of the European Community and its member States and another speaking on behalf of the Group of 77 and China. A statement was also made by the observer for a non-governmental organization.

53. Having discussed a text presented by the Co-Chairmen (A/AC.237/WG.I/L.26), Working Group I, at its 11th meeting on 16 February, proposed a draft recommendation to COP 1 and a draft conclusion on the sub-item for adoption by the Committee.

2. Conclusions

54. On the recommendation of Working Group I, the Committee, at its 7th plenary meeting on 17 February, adopted, for submission to COP 1, recommendation 8 on the roles of the subsidiary bodies established by the Convention, the text of which is contained in Part Two of this report.

55. The Committee also stressed the importance of the completion by the Intergovernmental Panel on Climate Change (IPCC) of its Second Assessment Report, which is expected to address, on a scientific basis, both certainties and uncertainties regarding the causes, effects, magnitude and timing of climate change, in conformity with Article 4.1(g).

VI. MATTERS RELATING TO ARRANGEMENTS FOR THE FINANCIAL MECHANISM AND FOR TECHNICAL AND FINANCIAL SUPPORT TO DEVELOPING COUNTRY PARTIES

56. At its 1st meeting, on 6 February, Working Group II, bearing in mind rule 46 of the rules of procedure of the Committee, maintained the decision taken at its second session (A/AC.237/9, para. 36) that its meetings would be open unless it decided otherwise. Working Group II held 10 open meetings from 6 to 15 February, as well as a number of informal meetings and consultations.

57. At the 2nd meeting of the Working Group, on 6 February, the Chief Executive Officer and Chairman of the GEF responded to questions raised by representatives in the Working Group, in the light of his earlier presentation to the Committee.

A. Implementation of Article 11 (Financial Mechanism), paragraphs 1-4

(i) Guidance on programme priorities, eligibility criteria and policies, and on the determination of "agreed full incremental costs"

1. Proceedings

58. Working Group II considered sub-item 8(a)(i) at its 4th, 5th, 6th and 8th meetings, on 7, 8 and 14 February. It had before it the following documents, which were introduced by a representative of the interim secretariat:

(a) Implementation of Article 11 (Financial mechanism) - Issues to be addressed by the Committee: a preliminary overview (A/AC.237/86);

(b) Elements for inclusion in arrangements between the Conference of the Parties and an operating entity or entities of the financial mechanism (A/AC.237/87);

(c) Transfer of technology (A/AC.237/88);

(d) Implementation of Article 11 (Financial mechanism): approach paper by the Group of 77 and China on the format for communication of information by non-Annex I Parties (A/AC.237/Misc.40); and

(e) Implementation of Article 11 (Financial mechanism): Co-Chairmen's text and submissions received from Governments (A/AC.237/Misc.41 and Add.1).

59. Statements were made under this sub-item by representatives of 27 States, including one speaking on behalf of the Group of 77 and China, and another on behalf of the European Community and its member States.

60. Having discussed texts proposed by the Co-Chairmen (A/AC.237/WG.II/L.11 and L.12), Working Group II, at its 10th meeting, on 15 February, proposed a draft recommendation to COP 1 and a draft decision on the sub-item for adoption by the Committee.

2. Conclusions

61. On the recommendation of Working Group II, the Committee, at its 7th plenary meeting on 17 February, adopted recommendation 11 on initial guidance on policies, programme priorities and eligibility criteria to the operating entity or entities of the financial mechanism, for submission to COP 1, and decision 11/2 on temporary arrangements between the Committee and the Global Environment Facility, the texts of which are contained in Part Two of this report. On the adoption of recommendation 11, the representative of China made a statement.

(ii) Modalities for the functioning of operational linkages between the Conference of the Parties and the operating entity or entities of the financial mechanism

1. Proceedings

62. Working Group II discussed sub-item 8(a)(ii) at its 3rd, 4th and 7th meetings on 7 and 9 February. It had before it a note by the interim secretariat on elements for inclusion and arrangements between the Conference of the Parties and operating entity or entities of the financial mechanism (A/AC.237/87), which was introduced by a representative of the interim secretariat.

63. Statements under this sub-item were made by representatives of 11 States, including one speaking on behalf of the Group of 77 and China and another on behalf of the European Community and its member States.

64. Having discussed a text presented by the Co-Chairmen (A/AC.237/WG.II/L.10), Working Group II, at its 10th meeting, on 15 February, proposed a draft recommendation to COP 1 on this sub-item for adoption by the Committee.

2. Conclusions

65. On the recommendation of Working Group II, the Committee, at its 7th plenary meeting on 17 February, adopted, for submission to COP 1, recommendation 10 on arrangements between the Conference of the Parties and an operating entity or entities of the financial mechanism, the text of which is contained in Part Two of this report.

B. Consideration of the maintenance of the interim arrangements referred to in Article 21, paragraph 3

1. Proceedings

66. Working Group II considered sub-item 8(b) at its 2nd, 3rd and 5th meetings, on 6, 7 and 8 February. It had before it the following documents relating to the sub-item, which were introduced by a representative of the interim secretariat:

(a) Implementation of Article 11 (Financial mechanism) - Issues to be addressed by the Committee: a preliminary overview (A/AC.237/86); and

(b) Report on the second meeting of the GEF Council: note by the interim secretariat (A/AC.237/89).

67. Statements under this sub-item were made by representatives of 20 States, including one speaking on behalf of the Group of 77 and China and another on behalf of the European Community and its member States.

68. Having discussed a text proposed by the Co-Chairmen (A/AC.237/WG.II/L.9), Working Group II, at its 8th meeting on 14 February, proposed a draft recommendation to COP 1 on the sub-item for adoption by the Committee.

2. Conclusions

69. On the recommendation of Working Group II, the Committee, at its 7th plenary meeting on 17 February, adopted, for submission to COP 1, recommendation 9 on the maintenance of the interim arrangements referred to in Article 21, paragraph 3, of the Convention, the text of which is contained in Part Two of this report.

VII. PROVISION TO DEVELOPING COUNTRY PARTIES OF TECHNICAL AND FINANCIAL SUPPORT

1. Proceedings

70. Working Group II considered item 9 at its 7th, 8th, 9th and 10th meetings, on 9, 14 and 15 February. It had before it a note by the interim secretariat on the Climate Convention cooperation programme (A/AC.237/90 and Add.1-3), which was introduced by a representative of the interim secretariat, who, together with the representatives of UNEP, UNITAR and the GEF, responded to questions raised.

71. Statements were made under this item by the representatives of 12 States, including one speaking on behalf of the European Community and its member States, and another speaking on behalf of the Group of 77 and China. These representatives generally welcomed the progress made in the activities of the interim secretariat and its partners.

72. Representatives noted the achievements of the CC:INFO programme, and welcomed plans to strengthen it in the future. Two delegations suggested that, in the future, CC:INFO might also include information relating to technology transfer.

73. A number of representatives also welcomed progress in developing a proposal for the second phase of CC:TRAIN. Some representatives supported efforts aiming at improving the efficiency of the programme and its cooperation with other agencies.

74. Some representatives questioned whether the main responsibility for such activities was best included within the core tasks of the Convention secretariat, and suggested that UNDP and UNITAR may be more appropriate. The UNEP representative assured its readiness to ensure the continuation of CC:INFO, but made clear that this would not be possible within its existing budget. Some representatives, however, called for the maintenance of those activities with the Convention secretariat. It was noted that such activities were not envisaged to be part of the core administrative budget of the Convention secretariat. One representative requested clarifications concerning the expenditures and results to date under various technical cooperation activities.

75. Representatives generally welcomed the joint paper of the interim secretariat and the GEF secretariat as a sign of good working relations between them, and encouraged them to continue their co-operation.

76. Bearing in mind the views expressed by representatives, and without prejudice to the guidance that the Conference of the Parties may provide in the future, the interim secretariat was requested to continue to facilitate the provision of technical and financial support to Parties, in cooperation with its partners, and to periodically report back to the Conference of the Parties on progress achieved, so that further guidance could be provided.

2. Conclusions

77. At its 7th plenary meeting, on 17 February, the Committee took note of the views expressed in Working Group II on this item, and of the conclusion contained in paragraph 76 above.

VIII. PROCEDURAL AND LEGAL MATTERS

A. Rules of procedure of the Conference of the Parties and of the subsidiary bodies established by the Convention

78. The Committee considered item 6 at its 6th plenary meeting, on 16 February 1995. The Committee had before it document A/AC.237/L.22/Rev.2.

79. At the 6th plenary meeting, on 16 February, the document was introduced by Vice-Chairman T. P. Sreenivasan, who reported on the outcome of the informal consultations conducted by him on the draft rules of procedure. The Vice-Chairman stated that the informal consultations were able to resolve most of the outstanding issues and that it was his opinion that the present text could command consensus at COP 1. He informed the Committee that the only draft rule remaining in brackets was rule 42, Voting, owing to the divergent views expressed with regard to decision-making relating to matters of substance, finance and protocols. The document contained two alternative formulations of the first paragraph of rule 42.

80. The Vice-Chairman noted that one representative had presented new proposals relating to draft rule 22, Officers, and draft rule 27, Subsidiary Bodies, during the informal consultations. These were not reflected in document A/AC.237/L.22/Rev.2 since a preliminary discussion showed that consensus was elusive. He further noted the proposal by one delegation to bracket draft rule 54, Languages. He stated that this delegation had been informed that its view would, instead, be reflected in the report.

81. The Vice-Chairman concluded his statement by underlining the importance of reaching an agreement on the rules as soon as possible.

82. The Chairman opened the discussion on draft rule 42 and statements were made by 30 representatives, including one speaking on behalf of the European Community and its member States. Of the two alternatives provided in the first paragraph of this draft rule, several representatives expressed a preference for Alternative A, which provides for a two-thirds majority vote for decisions on matters of substance, in the absence of consensus. The views of these representatives varied with respect to voting majorities on financial matters and protocols; some of them felt that sub-paragraph (c) of Alternative A was unnecessary. Some other representatives expressed a preference for Alternative B, which provides for consensus on matters of substance and a two-thirds majority vote on financial matters.

83. Several representatives of oil-exporting developing countries spoke in support of a proposal relating to draft rule 22, which would provide for those countries to have a post on the Bureau. Many other representatives voiced their disagreement with the substance of this proposal. One representative, however, suggested that the concern of the oil-exporting developing countries could be met by a provision that the President would consult, as appropriate, with delegations having specific interests, needs and concerns in relation to climate change.

84. One representative noted that the footnote relating to draft rule 30, Conduct of Business, which had existed in A/AC.237/L.22/Rev.1), had been deleted, and she requested its reinsertion in document A/AC.237/L.22/Rev.2. There was no objection to this request.

85. One representative, recalling his position on draft rule 54, proposed as an alternative that additional language be included, either in rule 54 or in a footnote, which would specify that the lack of documentation or interpretation in any of the languages due to budgetary constraints should not interrupt the smooth functioning of the COP or its subsidiary bodies. Several representatives strongly opposed this suggestion. One representative, however, while supporting the maintenance of all official languages in the COP, expressed sympathy for the need to keep costs of interpretation and documentation in subsidiary bodies to a minimum.

86. The Chairman adjourned the proceedings stating that he would attempt to produce compromise texts on outstanding issues.

87. At the 7th plenary meeting, on 17 February, the Chairman announced that he had been unable to achieve consensus on the outstanding issues during his consultations; he therefore recommended that the text of the draft rules of procedure, as contained in document A/AC.237/L.22/Rev.2, be remitted to the first session of the Conference of the Parties for its consideration.

88. Some representatives expressed concern at the manner in which the draft rules were being remitted to COP 1, stating that their proposal with regard to draft rule 22 should be taken into account in an addendum to the text being remitted. If this was not possible, they requested that the entire text of the draft rules should be put in brackets. The Chairman assured these representatives that their positions were reflected in the present report, and that they could revert to them at COP 1. Several representatives reaffirmed their support for the Chairman's approach.

89. One representative, speaking on behalf of the Group of 77 and China, stated that the language contained in draft rule 54 should remain as presently formulated. Another representative reiterated his position, which he stated was well known in other fora, that secretariat costs should be kept to a minimum.

2. Conclusions

90. The Committe expressed its appreciation for the role played by Vice-Chairman T.P. Sreenivasan in the efforts to reach agreement on the draft rules of procedure.

91. On the proposal of the Chairman, the Committee decided to remit the draft rules of procedure contained in document A/AC.237/L.22/ Rev.2 to the Conference of the Parties for its consideration.

92. It further decided, despite the lack of agreement on draft rule 22, to recommend to the Conference of the Parties that it elect the head of the delegation of the host country as President of the Conference at the start of its first session.

B. Review of the Annexes to the Convention

1. Proceedings

93. The Committee considered item 4 at its 2nd plenary meeting, on 8 February 1995.

94. The representative of the Czech Republic informed the Committee that his Government intended to make a formal proposal to amend Annex 1 to the Convention so as to include the Czech Republic as one of the successor States to the former Czechoslovakia. He stated that his Government would, pursuant to Article 16, notify the secretariat of its proposal to amend Annex 1 accordingly. He also indicated that his Government was planning to notify the Depositary in the near future, pursuant to Article 4.2(g), of its intent to be bound by Article 4.2 (a) and (b) of the Convention.

2. Conclusions

95. The Committee noted that this matter would be included in the provisional agenda for the first session of the Conference of the Parties.

IX. DESIGNATION OF A PERMANENT SECRETARIAT AND ARRANGEMENTS FOR ITS FUNCTIONING

96. The Committee considered this item at its 2nd, 3rd, 4th, 5th and 6th plenary meetings, on 8, 10, 13, 15 and 17 February. At the 2nd plenary meeting, on 8 February, statements under this item were limited to those by representatives of countries that had offered to host the permanent secretariat. At the 3rd plenary meeting, on 10 February, the Chairman presented the conclusions of the Contact Group on the permanent secretariat (A/AC.237/79/Add.5). He proposed, and the Committee agreed, that the sub-items should be taken up in reverse order.

A. Institutional linkages

97. For its consideration of this sub-item, the Committee had before it, in addition to the relevant section of the report of the Contact Group (A/AC.237/79/Add.5, paras. 1-6), a note by the Executive Secretary conveying the advice by the Secretary-General of the United Nations on an institutional arrangement for the permanent secretariat (A/AC.237/79/Add.1), and the "Understanding on support for the United Nations Framework Convention on Climate Change and cooperation with the Convention secretariat" (A/AC.237/79/Add.6), which were introduced by the Executive Secretary at the 4th plenary meeting, on 13 February.

98. At the 5th plenary meeting, on 15 February, one representative, speaking on behalf of the European Community and its member States, stated that he was ready to accept the Secretary-General's advice that the Convention secretariat be institutionally linked to the United Nations, while not being fully integrated in the work programme and management structure of any particular department or Programme. He considered that provision of administrative support by a department or Programme should not impinge upon the autonomy of the Convention secretariat. He hoped that the appreciable financial support provided by the United Nations in terms of conference servicing would be continued in the future and that part of the overhead provided to the United Nations could be used in support of the administrative expenses of the Convention secretariat.

99. Another representative also expressed his acceptance of the Secretary-General's proposals, and of the role assigned therein to the Department of Policy Coordination and Sustainable Development. He felt that some aspects would require further elaboration at the appropriate time, especially the dual accountability of the head of Convention secretariat to the Secretary-General and the Conference of the Parties, taking into account the responsibility of the Conference to set the policies and programmes of work of the secretariat.

2. Conclusions

100. At the same meeting, on the proposal of the Chairman, the Committee decided to recommend to the Conference of the Parties that, taking into account the advice of the Secretary-General and the related comments of the Contact Group of the Committee, as well as the "Understanding on support for the United Nations Framework Convention on Climate Change and cooperation with the Convention secretariat", it decide that the Convention secretariat be institutionally linked to the United Nations, while not being fully integrated in the work programme and management structure of any particular department or Programme. It further recommended that such a linkage be established for a definite duration and include a provision for its review.

101. The Committee further decided to invite the Secretary-General of the United Nations to complete his advice by recommending, for consideration by the Conference of the Parties at its first session, an efficient arrangement for administrative support to the Convention secretariat that would ensure proper procedures, controls and accountability, while allowing for managerial autonomy, flexibility and full accountability to the Conference of the Parties.

B. Financial rules of the Conference of the Parties and of the subsidiary bodies established by the Convention

102. At the 3rd plenary meeting, on 10 February, the Chairman introduced the report of the Contact Group on this sub-item (A/AC.237/79/Add.5, paras. 7-10). He drew attention to the suggestion that a small representative group be established to review the Convention budget and report thereon to the Conference of the Parties, and to the possibility of an escape clause in the unlikely event that efforts to reach consensus on the budget proved unsuccessful. As regards the scale of contributions, for which the secretariat had,as an option, suggested a 25 per cent ceiling and also an exemption from contribution for any Party assessed by the United Nations General Assembly at less than 0.015 per cent, the Contact Group agreed with the proposed ceiling but was of the opinion that all Parties should make at least a minimum contribution to the Convention budget.

103. The Executive Secretary introduced the secretariat report on this sub-item (A/AC.237/79/Add.2 and Corr.1-3) at the 4th plenary meeting of the Committee, on 13 February. He stressed the need for as predictable a basis as possible for the financing of the Convention. This would include the establishment of a working capital reserve, which was especially necessary in view of the proposal that contributions be made on an "indicative" basis rather than under a mandatory system of assessments.

104. Regarding the scale of contributions, one representative agreed with the suggestion that the scale be indicative and provide for a ceiling and for flexible payment conditions. Another representative, while expressing a preference for the Convention secretariat to be financed from the United Nations regular budget, favoured a scale of contributions with no ceiling. Some representatives felt that the scale should contain no lower limit, while one representative expressed the opposite view. Several representatives felt that the financial procedures should contain a more explicit reference to the United Nations scale of assessments as the basis for contributions to the core administrative budget of the Convention. Several representatives stressed that the scale should reflect the principle of common but differentiated responsibility and the capacity to pay of each country; in their view, no developing Party should contribute more than any developed Party.

105. Several representatives were in favour of adopting the budget by consensus. They also expressed some doubt on the need for a working capital reserve as had been proposed by the secretariat, and added that, in their view, the procedures should contain some additional provisions similar to those in financial procedures of other conventions.

106. One representative said that, if a small representative group for the purpose of budget review were seriously considered, his preference would be for a Finance Committee to be established by the COP.

107. The Committee then approved without dissent a proposal by the Chairman to establish an informal open-ended working group for further consideration of this sub-item. The Chairman noted that such a group could also function during COP 1.

108. At the 5th plenary meeting, on 15 February, the Chairman introduced a revised text of the draft financial procedures (A/AC.237/L.26), which had been prepared after consultation with delegations. He pointed out a number of changes as compared to the initial secretariat proposal and, in particular, the provisions that the budget, the scale of contributions and the level of the working capital reserve be adopted by consensus; that an explicit reference be made to the United Nations scale as a basis for the scale of contributions to the Convention; and that the budget be submitted directly to the Conference of the Parties and not through an intermediary body. He trusted that the Committee would recommend, by consensus, that the Conference adopt the draft financial procedures.

109. Representatives who commented on the proposal by the Chairman generally favoured its adoption by consensus. Some representatives stated, however, that they might intervene, if necessary, at the Conference of the Parties, in order to ensure that the procedures better reflect the principle of common but differentiated responsibility. Some representatives stressed the voluntary nature of the contributions referred to in paragraph 7(a) of the draft procedures. Others pointed out

that the proposed floor of 0.01 per cent might need to be adjusted downwards in deserving cases. Some representatives were not yet entirely convinced of the need to establish a working capital reserve.

110. In response to a question, the Chairman stated that of the use of the word "due" in paragraph 8(b) of the draft procedures did not in any way change the nature of the contributions covered by paragraph 7(a) of those procedures; and that specific limitations on the use of funds, based on domestic legislation, could be communicated to the secretariat at the time a contribution was made.

111. Under this sub-item, the Committee, at its 4th plenary meeting, on 13 February, also considered a budget outline for the permanent secretariat for 1996/1997 (A/AC.237/79/Add.3), which was introduced by the Executive Secretary, who responded to a number of questions raised.

112. At the same meeting, it was agreed that the budget outline should be considered by the informal working group established to consider the financial rules.

113. At the 5th plenary meeting, on 15 February, the Chairman reported to the Committee on the discussions in the informal working group, indicating that there was a particular need to seek the views of the Committee on the question of the involvement of the ACABQ in the preparation of the first budget, and on whether the budget should include provision for a contribution to IPCC.

114. Most representatives who spoke on this topic felt that there was no real need to seek the advice of the ACABQ, and that the question of a contribution to IPCC needed further analysis in the context of a detailed budget proposal. Some representatives indicated that they preferred to reserve their positions on the budget until COP 1, when such a proposal would be available.

2. Conclusions

115. At its 5th plenary meeting, on 15 February, the Committee decided to recommend to the Conference of the Parties that it adopt the financial procedures in A/AC.237/L.26, the text of which is contained in Part Two of this report.

116. It further decided to recommend to the Conference of the Parties that it request the General Assembly, bearing in mind the institutional linkage of the Convention secretariat to the United Nations and the large number of States which are Parties to the Convention, to finance from the regular programme budget of the United Nations the conference-servicing costs arising from sessions of the Conference of the Parties and its subsidiary bodies for the duration of the institutional linkage.

117. At the same meeting, the Committee requested the Executive Secretary to prepare, for consideration by COP 1, a detailed budget for 1996/1997, taking into account the discussions of the Committee at its eleventh session, and to circulate this to the Parties as soon as possible.

C. Physical location

1. Proceedings

118. The Committee considered sub-item 5(c) at its 2nd and 3rd plenary meetings on 8 and 10 February. It had before it the complete texts of offers received from potential host Governments (A/AC.237/Misc.45), and a comparative summary of four detailed submissions prepared by the interim secretariat in accordance with indications given by the Governments concerned (A/AC.237/79/Add.4).

119. At the 2nd plenary meeting, on 8 February, the representative of Canada formally presented his Government's offer to host the permanent secretariat in the city of Toronto, the details of which were contained in document A/AC.237/Misc.45. He informed the Committee that, in addition, the City of Toronto had offered to provide the secretariat with additional funding of 1 million Canadian dollars annually for a period of five years. Those resources were available because of savings resulting from the City's energy reduction programme. A limited number of staff would be made available to the secretariat, at its discretion and as it deemed appropriate, for the first five years of the secretariat's operation.

120. The representative of Germany, elaborating on his country's offer to host the permanent secretariat in the city of Bonn detailed in document A/AC.237/Misc.45, emphasized that the office space would be provided on a permanent rent-free basis, which corresponded to DM 0.6 million annually. Germany would, in addition to its regular annual budget share, provide an amount of DM 1.5 million annually, as well as the costs of relocating the secretariat. Moreover, Germany offered DM 3.5 million for events organized by the secretariat under the Convention, which amount was not earmarked for meetings in Germany. The total additional contribution thus amounted to DM 5.6 million (not including the costs of relocating the secretariat and Germany's regular annual budget share).

121. The representative of Switzerland informed the Committee that his Government was prepared to increase its total annual financial contribution to at least Sw F 4.6 million annually. He also informed the Committee that as a result of the successful conclusion of the Headquarters Agreement between his Government and the World Trade Organization there would be specific improvements in the privileges of diplomats and international staff located in Geneva, which would be applicable

to the permanent secretariat.

122. The representative of Uruguay said that his country, as a developing country, could not afford to offer subsidies or grants or to offer facilities to the least developed countries. His Government had offered to host the permanent secretariat in the city of Montevideo because of its commitment to environmental policies and because it felt that developing countries should fully shoulder their responsibilities in the area of climate change and be equal partners on the international scene.

123. The representative of Kenya said that, while his Government had offered to host the permanent secretariat in Nairobi because it attached great importance to the implementation of international environmental instruments and because it felt that co-location with UNEP would be of great value, it had decided, in light of the other offers made, to withdraw its own offer.

124. The Chairman asked the representative of Kenya to convey to his Government the Committee's great appreciation of the offer that had been made and its interest in the development of Nairobi as an international centre.

125. At the 3rd plenary meeting on 10 February, the Chairman presented the conclusions of the Contact Group on this question (A/AC.237/79/Add.5, sect.III). The Contact Group had recommended to the Committee that, in assessing the offers made, it should take account of three main criteria: convenience of access by delegations; the economies offered by co-location with other United Nations offices; and the contributions offered by the prospective host Governments in cash and/or in kind. The first two criteria would favour the location of the Convention secretariat in an existing United Nations centre. The last criterion would give preference to the host Government making the best financial offer. The Contact Group had expressed the hope that, whatever decision was taken, the countries that had offered to host the secretariat would have opportunities to host operational activities related to the Convention, thus giving a needed regional dimension to such activities.

126. In the ensuing discussion, statements were made by the representatives of ten countries. The criteria elaborated by the Contact Group were found acceptable. Some representatives saw merit in building upon existing centres of international activity, while others felt that the development of new centres should not be discouraged. Four representatives explicitly indicated their countries' preference for Geneva for the location of the secretariat, while two indicated their countries' preference for Bonn and one indicated his country's preference for Toronto. One representative said that the question should be left to COP 1 and that no attempt should be made to arrive at a recommendation at the present session. The representative of Switzerland responded to questions regarding his country's offer of financial support.

127. At the 7th plenary meeting, on 17 February, the representative of Uruguay stated that, while his Government maintained its position that developing countries should have opportunities to host international bodies, it was open to discuss proposals in the light of the discussion in the Committee. Consultations had been engaged with the Government of Switzerland on this matter.

2. Conclusions

128. At its 7th plenary meeting, on 17 February, the Committee, on the recommendation of the Chairman, invited the Governments of Canada, Germany, Switzerland and Uruguay to hold consultations before the first session of the Conference of the Parties, with a view to arriving at a common understanding that would facilitate a decision on the physical location of the Convention secretariat.

X. REVIEW OF THE ACTIVITIES OF THE INTERIM SECRETARIAT, INCLUDING REVIEW OF EXTRABUDGETARY FUNDS

1. Proceedings

129. The Committee considered this item at its 3rd plenary meeting, on 10 February. The Executive Secretary introduced a note (document A/AC.237/80) containing information on the staffing of the interim secretariat for 1995 and on the two extrabudgetary funds established by General Assembly resolution 45/212, paragraphs 10 and 20, namely, the special voluntary fund for participation and the trust fund for the negotiating process. In so doing, he thanked contributors to both funds, in particular those which had made exceptionally large contributions, and updated information provided in the note.

130. He indicated that financial support for participation in the eleventh session had been offered to delegates from 110 eligible countries and that 95 countries had taken advantage of this offer. He noted that a further US$ 1 million were needed to support participation in meetings in 1995. Of this, US$ 0.3 million was sought as exceptional support for the participation in the first session of the Conference of the Parties (COP 1) of a second delegate from those Parties that are least developed countries or small island developing countries.

131. With regard to the funding for the interim secretariat, the Executive Secretary indicated that new contributions in the amount of approximately US$ 4.7 million were sought to the end of 1995. This would take into account the anticipated increase in workload after COP 1, including servicing the subsidiary bodies, any new negotiating process and the in-depth review of communications, as well as the organization of meetings (the technical servicing of which would no longer be provided after COP 1) and the information system. He reiterated that it would be preferable if the needs of the secretariat could be met by unconditional contributions to the trust fund, rather than by contributions tied to individual staffing arrangements or specific activities. He was consulting contributors on these questions. With respect to staffing, he noted the balance of professional staff from Annex I and from non-Annex I countries in the interim secretariat. He also indicated that the lack of contractual stability for the majority of staff continued to be a matter for concern, in the absence of a predictable and agreed budget.

132. Statements were made by representatives of seven States, including one on behalf of the European Community and its member States, regarding the needs of both funds.

133. With respect to the special voluntary fund, the representative of Japan indicated that a further contribution from his country might be forthcoming. The representative of Germany informed the Committee that its last contribution in 1994 was intended to provide a basis for the participation in

COP 1 of a second delegate from Parties that are least developed countries or small island developing countries. The representative of Switzerland informed the Committee of its further contribution of Sw F 100,000 for participation in the present session and COP 1, and an additional contribution of Sw F 50,000 for the participation of countries with economies in transition. The representative of Australia indicated that his Government continued to provide financial assistance to developing island countries in the South Pacific through the South Pacific Regional Environment Programme (SPREP). SPREP had used the funding to enable the participation of two representatives of small island developing states in the current session of the Committee.

134. With respect to the trust fund for the negotiating process, the representative of Australia stated that the funding estimates in document A/AC.237/80 represented a reasonable forecast of what would be required for the interim secretariat to carry out the tasks allocated to it, given the likely growth in demands on the secretariat after COP 1. He requested information on the costs of services made available to the interim secretariat in 1995. The representative of France, on behalf of the European Community and its member States, suggested that the estimates for funding the interim secretariat in 1995 were closely linked with the budget outline for the permanent secretariat for 1996/97. He proposed that an ad hoc open-ended working group should be established during the session to study the estimates for 1995 and the budget for 1996/97 and report back to the Committee; it should continue to function at COP 1. This proposal was supported by other delegations. It was noted that the question of the establishment of such a working group would be taken up under item 5 (b) of the agenda.

135. At the 6th plenary meeting, on 16 February, the representative of Japan informed the Committee that, in light of the appeal made by the Executive Secretary for additional funding to support participation at COP 1, his Government had decided to make an additional contribution of US $ 100,000 for that purpose.

136. The Chairman, on behalf of the Committee, requested the representative of Japan to convey the Committee's appreciation to his Government. In thanking the representative of Japan, the Executive Secretary said that the additional contribution announced, together with some others, should enable the interim secretariat to finance the participation at COP 1 of a second delegate from those Parties that are least developed countries or small island developing countries.

2. Conclusions

137. At its 3rd plenary meeting, on 10 February, the Committee:

(a) Took note of the information presented in document A/AC.237/80 and of the considerations contained in paragraphs 12 and 13 therein;

(b) Took note with appreciation of the extrabudgetary support provided for participation in the work of the Committee and for COP 1, as well as for the activities of the interim secretariat;

(c) Appealed for additional contributions to enable the interim secretariat to support participation at COP 1 by a second delegate from Parties that are least developed countries or that are eligible small island developing countries;

(d) Noted the need for the financial estimates for the secretariat's work in 1995 to be further reviewed in connection with the budget for 1996/97;

(e) Expressed its support for the efforts of contributors and the interim secretariat to mobilize the extrabudgetary funds that would be required for 1995, taking account of the desirability that contributions be untied.

XI. ARRANGEMENTS FOR THE FIRST SESSION OF THE CONFERENCE OF THE PARTIES, INCLUDING THE PROVISIONAL AGENDA

1. Proceedings

138. The Committee considered this item at its 3rd plenary meeting, on 10 February 1995. It had before it a note by the Executive Secretary (A/AC.237/78 and Add.1-2), which was introduced by a representative of the interim secretariat. Statements were made by the representatives of seven States, including one speaking on behalf of the European Community and its member States. In addition, the representative of the interim secretariat responded to a number of questions and requests for clarification.

139. All the representatives who spoke on this item expressed support for the proposals contained in the secretariat documentation, regarding, inter alia, the preparation of the provisional agenda for COP 1, the admission of organizations as observers, the establishment of a sessional Committee of the Whole, participation in the debate during the ministerial segment and duration of statements. Emphasis was placed by some representatives on the importance of ensuring that the presence of Ministers at COP 1, reflecting the highest possible level of political support for the Convention, should be used to give further impetus to the Convention and to provide orientations for further action nationally and internationally. In that connection, mention was made of the possibility of organizing a ministerial round table and adopting a ministerial declaration at COP 1. One representative, referring to the list of possible elements for the provisional agenda of COP 1, considered that no explicit provision should be made for the adoption of such a declaration until there was an understanding regarding its substantive content.

140. The Executive Secretary, referring to the signature of the agreement between the interim secretariat and the host Government, paid tribute to the commitment and energy of the German authorities in the preparations for the Conference of the Parties. He was sure that the stage had been set for a successful Conference. He shared the view that maximum advantage should be taken of the presence of Ministers in order to heighten political support for the Convention and to convey the importance of climate change to national constituencies.

141. The Chairman reported to the Committee on the status of his consultations with regional groups on the question of the nominations for members of the Bureau of the Conference. He recalled that, at the 1st plenary meeting, the representative of Suriname, on behalf of the Group of Latin American and Caribbean Countries (GRULAC) had presented nominations for two Vice-Presidents of the Conference (Antigua and Barbuda, and Argentina). He had also been informed of the progress of consultations in the other regional groups. The representative of Lesotho, on behalf of the African Group, presented nominations for one Vice-President of the Conference

(Zimbabwe) and for the post of Chairman of the Subsidiary Body for Implementation (Mauritania). The representative of Bangladesh, on behalf of the Asian Group, said that his Group's nominations for two posts would be forthcoming.

142. At the 5th plenary meeting, on 15 February, the Chairman informed the Committee that the Alliance of Small Island States (AOSIS) had presented its nomination for one Vice-President of the Conference (Samoa).

143. At the 6th plenary meeting, on 16 February, the Chairman informed the Committee that he had received nominations from the Asian Group for two Vice-Presidents of the Conference (India, and Japan), and from the Group of Eastern European countries for two Vice-Presidents of the Conference (Hungary and the Russian Federation).

144. At the 7th plenary meeting, on 17 February, the Chairman informed the Committee that he had received nominations from the Group of Western European and other countries for the post of President of the Conference (Germany) and for one Vice-President of the Conference (Australia). The Chairman noted that the nominations received did not correspond to the posts available in the Bureau, as indicated in rule 22 of the draft rules of procedure; consequently, further consultations would be necessary.

2. Conclusions

145. At the 3rd plenary meeting, on 10 February, the Committee:

(a) Took note with satisfaction that an agreement had been concluded between the interim secretariat of the Convention and the Government of Germany on arrangements for the first session of the Conference of the Parties (COP 1) in Berlin;

(b) Expressed its appreciation to the Government of Germany for its efforts to ensure optimal conditions for the work of COP 1 and welcomed the fact that the Chancellor of the Federal Republic of Germany would address COP 1 at the start of the ministerial segment on 5 April;

(c) Took note that, following the past practice of the Committee, heads of partner organizations had been invited by the Executive Secretary to speak at the opening of the Conference;

(d) Requested the Executive Secretary to draw up a provisional agenda for COP 1 on the basis of the revised list in document A/AC.237/78, annex I, in the light of the outcome of the eleventh session of the Committee and in consultation with the Chairman and Bureau of the Committee, and to prepare annotations to that provisional agenda;

(e) Reiterated its recommendation that Parties include in their delegations, in accordance with their capacities, representatives with expertise in the various economic, social, scientific and environmental fields that are relevant to the objectives of the Convention, owing to the wide range of matters that are to be decided by the COP, and in order to ensure effective participation of Parties during COP 1.

146. At the 5th plenary meeting, on 15 February, the Chairman submitted a draft recommendation on organizational matters (A/AC.237/L.25) for consideration by the Committee. In introducing the draft recommendation, he noted that statements by groups of Parties could be made in plenary and referred for appropriate action to the Committee of the Whole.

147. At the same meeting, the Committee adopted, for submission to COP 1, recommendation 2 on organizational matters, the text of which is contained in Part Two of this report.

148. At its 7th plenary, on 17 February, the Committee authorized the Chairman to continue his consultations on nominations to the Bureau of the Conference of the Parties, as well as to the posts of Vice-Chairmen and Rapporteurs of the subsidiary bodies.

XII. ADOPTION OF THE REPORT AND CLOSURE OF THE ELEVENTH SESSION

149. At the 7th plenary meeting, on 17 February, the Rapporteur presented the draft report of the session to the Committee (A/AC.237/L.24 and Add. 1-3). The Committee considered and adopted the draft report as orally amended. It requested the Rapporteur, with the assistance of the interim secretariat and under the guidance of the Chairman, to complete the report, taking into account the discussions of the Committee and the need for editorial adjustments.

150. The Chairman, on behalf of the Committee, expressed his appreciation to the Rapporteur, the Co-Chairmen and Vice-Chairmen of Working Group I and Working Group II, and the Vice-Chairmen of the Committee, for their invaluable assistance in bringing the work of the Committee to a successful conclusion.

151. The Executive Secretary paid tribute to the crucial role that the Chairman himself had played in guiding the negotiations in the Committee. He was sure that all the members of the Committee would wish to associate themselves with this tribute.

152. The Chairman thanked the Executive Secretary, the staff of the interim secretariat, the Secretary of the Committee and his colleagues, and all participants in the session. He then declared the eleventh and final session of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change closed.

Annex

LIST OF DOCUMENTS BEFORE THE COMMITTEE AT ITS ELEVENTH SESSION

A/AC.237/77	Provisional agenda and annotations, including suggestions for the organization of work. Note by the Executive Secretary
A/AC.237/78	Arrangements for the first session of the Conference of the Parties, including the provisional agenda. Note by the Executive Secretary
A/AC.237/78/Add.1	Preliminary information for participants at the first session of the Conference of the Parties
A/AC.237/78/Add.2	List of intergovernmental and non-governmental organizations having expressed their wish to be represented at the first session of the Conference of the Parties
A/AC.237/79	Designation of a permanent secretariat and arrangements for its functioning. Note by the Executive Secretary
A/AC.237/79/Add.1	Institutional linkages. Advice by the Secretary-General of the United Nations on an institutional arrangement for the permanent secretariat
A/AC.237/79/Add.2 and Corr.1-3	Financial rules of the Conference of the Parties and of its subsidiary bodies. Draft financial procedures
A/AC.237/79/Add.3	Budget outline for the permanent secretariat
A/AC.237/79/Add.4	Physical location. Compilation of information from potential host Governments
A/AC.237/79/Add.5	Conclusions of the Contact Group on the permanent secretariat
A/AC.237/79/Add.6	Understanding on support for the United Nations Framework Convention on Climate Change and cooperation with the Convention secretariat
A/AC.237/80	Review of the activities of the interim secretariat, including review of extrabudgetary funds. Note by the Executive Secretary

A/AC.237/81	Compilation and synthesis of national communications from Annex I Parties
A/AC.237/82	First review of information communicated by each Party included in Annex I to the Convention. Issues to be addressed by the Committee: an overview
A/AC.237/83	Review of the adequacy of commitments in Article 4, paragraph 2 (a) and (b). Annotated compilation
A/AC.237/84	Methodological issues
A/AC.237/85	The roles of the subsidiary bodies established by the Convention
A/AC.237/86 and Corr.1	Issues to be addressed by the Committee regarding the financial mechanism: a preliminary overview
A/AC.237/87	Elements for inclusion in arrangements between the Conference of the Parties and an operating entity or entities of the financial mechanism
A/AC.237/88	Transfer of technology
A/AC.237/89 (English only)	Consideration of the maintenance of the interim arangements referred to in Article 21, paragraph 3. Report on the second meeting of the GEF Council
A/AC.237/90	Provision to developing country Parties of technical and financial support
A/AC.237/90/Add.1	Progress report on the Climate Convention information exchange programme. Note by the interim secretariat and the United Nations Environment Programme
A/AC.237/90/Add.2	Progress report on the training programme to promote the implementation of the Convention. Note by the interim secretariat and the United Nations Institute for Training and Research

A/AC.237/90/Add.3	Provision of assistance for enabling activities and national communications. Note by the interim secretariat and the secretariat of the Global Environment Facility
A/AC.237/Misc.40	Implementation of Article 11 (Financial mechanism), paragraphs 1-4. Approach paper by the Group of 77 and China on the format for communication of information by non-Annex I Parties
A/AC.237/Misc.41 and Add.1	Implementation of Article 11 (Financial mechanism), paragraphs 1-4. Co-Chairmen's text and submissions received from Governments
A/AC.237/Misc.42	First review of information communicated by each Party included in Annex I to the Convention. Comments from Parties or other member States
A/AC.237/Misc.43 and Add.1	Review of the adequacy of commitments in Article 4, paragraph 2 (a) and (b). Comments from Parties or other member States
A/AC.237/Misc.44 and Add.1	Criteria for joint implementation. Comments from Parties or other member States
A/AC.237/Misc.45	Designation of a permanent secretariat and arrangements for its functioning. Compilation of offers by Governments to host the permanent secretariat
A/AC.237/Misc.46	Consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation (Article 13). Submissions from delegations relating to Article 13
A/AC.237/Misc.47	Directory of participants
A/AC.237/INF.15/Rev.2 and Corr.1	Status of ratification of the United Nations Framework Convention on Climate Change
A/AC.237/INF.16/Rev.2	Status of submissions of first communications from Annex I Parties

A/AC.237/INF.17	Electronic availability of documents for the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change
A/AC.237/L.22/Rev.1	Rules of procedure of the Conference of the Parties and of its subsidiary bodies
A/AC.237/L.22/Rev.2	Rules of procedure of the Conference of the Parties and its subsidiary bodies. Note by the Vice-Chairman on the informal consultations on the draft Rules of Procedure
A/AC.237/L.23	Review of the adequacy of commitments in Article 4, paragraph 2 (a) and (b). Letter dated 20 Sepember 1994 from the Permanent Representative of Trinidad and Tobago to the Executive Secretary of the interim secretariat, transmitting a draft protocol to the United Nations Framework Convention on Climate Change on Greenhouse Gas Emissions Reduction
A/AC.237/L.23/Add.1	Review of the adequacy of commitments in Article 4, paragraph 2(a) and (b). Letter dated 22 September 1994 from the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety of Germany to the Executive Secretary of the interim secretariat, transmitting proposals for further elements of a protocol to the Convention
A/AC.237/L.24 and Add. 1-3	Draft report of the Committee on its eleventh session
A/AC.237/L.25	Arrangements for the first session of the Conference of the Parties, including the provisional agenda. Draft recommendation submitted by the Chairman
A/AC.237/L.26	Financial procedures for the Conference of the Parties to the United Nations Framework Convention on Climate Change, its subsidiary bodies and its permanent secretariat
A/AC.237/WG.I/L.25	Methodological issues. Draft recommendation submitted by the Co-Chairmen of Working Group I

A/AC.237/WG.I/L.26	The roles of the subsidiary bodies established by the Convention. Draft conclusions and recommendation submitted by the Co-Chairmen of Working Group I
A/AC.237/WG.I/L.27	First review of information communicated by each Party included in Annex I to the Convention. Draft conclusions and recommendation submitted by the Co-Chairmen of Working Group I
A/AC.237/WG.I/L.28	Review of the adequacy of Article 4, paragraph 2 (a) and (b). Draft decision submitted by the Co-Chairmen of Working Group I
A/AC.237/WG.I/L.29	Criteria for joint implementation. Draft recommendations submitted by the Co-Chairmen of Working Group I
A/AC.237/WG.II/L.9	Consideration of the maintenance of the interim arrangements referred to in Article 21, paragraph 3. Draft decision submitted by the Co-Chairmen
A/AC.237/WG.II/L.10	Arrangements between the Conference of the Parties and an operating entity or entities of the financial mechanism. Draft recommendation submitted by the Co-Chairmen of Working Group II
A/AC.237/WG.II/L.11	Implementation of Article 11 (Financial mechanism), paragraphs 1-4. Draft recommendation submitted by the Co-Chairmen of Working Group II
A/AC.237/WG.II/L.12	Temporary arrangements between the Committee and the Global Environment Facility. Draft decision submitted by the Co-Chairmen of Working Group II